



State of California  
**Respiratory Care Board**

444 North 3<sup>rd</sup> Street, Suite 270  
Sacramento, CA 95814  
Telephone: (916) 323-9983 or Toll free (866) 375-0386  
Fax: (916) 323-9999  
Email: [rcbinfo@dca.ca.gov](mailto:rcbinfo@dca.ca.gov)  
Web: [www.rcb.ca.gov](http://www.rcb.ca.gov)



October 14, 2002

**Inquiry:** Under the Legislative Intent of California Business and Professions Code Division 2, Chapter 8.3, Section 3701, Respiratory Care Practitioner have an "existence of overlapping functions" within the health care system. The health care system consists of various members, including but not limited to, physicians, nurses, respiratory care practitioners, pharmacists, etc.. Under section 3702(b) of the B&P Code, the State of California defines the partial activities of Respiratory Care to the "administration of pharmacological ... agents".

In order to administer, upon the written prescription, pharmacological agents, a Respiratory Care Practitioner needs to have immediate access to various respiratory medications. Regulation exists under California B&P Code section 4060, for the possession of controlled substances. This regulation, however, is not applicable to physicians, physician assistants, etc. when the labeling on the container storing the medication has, at least, the information of the producer. In compliance with the Legislative Intent of California in recognizing Respiratory Care; its overlapping functions and its authority to administrator pharmacological agents, procession should fail within this exception.

Review and Response is requested by the Respiratory Care Board of California.

**Response:** The Board agrees that administration of pharmacological agents is definitely in the scope of practice for a licensed Respiratory Care Practitioner as outlined in section 3701 and 3702 of the Practice Act. We also agree that practitioners need access to these medications to provide prompt intervention of bronchospasm and other reversible pulmonary conditions.

What is not defined or regulated under the Practice Act is the dispensing of medications. The Pharmacy Board of California and the Department of Health Services of California regulate that function in the home care and acute care setting. Their contact information is included for your reference.

**Department of Health Services**

714/ 744 P Street,  
Sacramento CA, 95814  
(916) 445-4171

**California Board of Pharmacy**

400 R Street, Suite 4070  
Sacramento, CA 95814  
Phone: (916) 445-5014  
Fax: (916) 327-6308